IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 24699 of 2005

Between:

Golla Chinna Nagamma

..... PETITIONER

AND

The Joint Collector,

Kurnool District and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 2nd respondent in not permitting the petitioner to lift the stocks by restoring the petitioner's authorization even after completion of three months period of suspension, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

It is stated that the authorization of the petitioner was suspended as a substantive measure of punishment for a period of three months, after conducting necessary enquiry, by order dated 10.03.2005 of the

2nd respondent. Against the said order, the petitioner filed an appeal before the 1st respondent, and pending disposal of the appeal, a stay was granted on 18.04.2005, and ultimately the appeal itself has been dismissed by order dated 10.05.2005. It is stated that the appellate authority only confirmed the order of suspension, suspending the authorization of the petitioner for a period of the three months. It is further stated that the three months suspension period is over by 10.09.2005, but the 2nd respondent has not restored the authorization of the petitioner though the petitioner has suffered the suspension period by closing his shop for more than three months.

Once the period of suspension is over, I am of the opinion that the appointing authority is bound to pass appropriate orders, restoring the authorization of the petitioner and permitting him to supply essential commodities, in accordance with law.

Having regard to the facts and circumstances of the case, as the suspension period is already over and the authorization of the petitioner is deemed to have been in force, the respondents are directed to restore the authorization of the petitioner forthwith and permit him to supply essential commodities to the cardholders.

With the above observations, the Writ Petition is allowed. No order as to costs.

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V.ESWARAIAH,J

Dated: 30.11.2005

Dsr

Note:

Issue CC in three days

B/o

Dsr